

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,  
LAURENCE S. GILLICK, ROBERT S.  
ROTH, JONATHAN P. YAMRON, and  
MANFRED G. GRABHERR,

Defendants.

**MOTION FOR LEAVE TO FILE SUR-REPLY IN FURTHER SUPPORT OF  
CLAIM CONSTRUCTION FOR THE '966 PATENT**

Defendant Voice Signal Technologies, Inc. (“Voice Signal”) moves, pursuant to Local Rule 7.1(B)(3), for leave to file a short, seven-page sur-reply further supporting its Claim Construction Brief for the '966 Patent solely for the purpose of addressing new arguments raised by ScanSoft, Inc. in its Reply in Support of its Claim Construction Brief. Voice Signal believes that the sur-reply, attached hereto as **Exhibit A**, will aid the Court in its determination of the issues presented in the parties’ claim construction briefs.

WHEREFORE, Voice Signal respectfully requests leave of Court to file a sur-reply in the form attached as **Exhibit A**, and for the reply to be deemed filed upon allowance of this motion.

Respectfully submitted,

LAURENCE S. GILICK, ROBERT S. ROTH,  
JONATHAN P. YAMRON, MANFRED G.  
GRABHERR and VOICE SIGNAL  
TECHNOLOGIES, INC.

By their attorneys,

/s/ Wendy S. Plotkin

Robert S. Frank, Jr. (BBO No. 177240)  
Sarah Chapin Columbia (BBO No. 550155)  
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Boston, MA 02109  
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June 16, 2005

**Certification Pursuant to Local Rule 7.1**

I certify that counsel for Voice Signal attempted to confer with counsel for ScanSoft in an effort to resolve the issues presented in this motion and that counsel for Voice Signal could not reach counsel for ScanSoft prior to filing this Motion.

/s/ Wendy S. Plotkin